

Docket No.: 4426-001

**SUBSTITUTE DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled METHOD OF SELECTIVE PHOTOTHERMOLYSIS, the specification of which

[ ] is attached hereto [X] was filed on May 12, 1998 as Application Serial No. 09/076,098 and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

|                               |                  |                             |            |           |
|-------------------------------|------------------|-----------------------------|------------|-----------|
| Prior Foreign Application(s): | Priority Claimed |                             |            |           |
| <u>Number</u>                 | <u>Country</u>   | <u>Day/Month/Year filed</u> | <u>Yes</u> | <u>No</u> |

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

|                                   |                    |
|-----------------------------------|--------------------|
| Prior Provisional Application(s): |                    |
| <u>Application Number</u>         | <u>Filing Date</u> |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|                             |                    |   |
|-----------------------------|--------------------|---|
| Prior U. S. Application(s): |                    |   |
| <u>Serial No.</u>           | <u>Filing Date</u> | <u>Status: Patented, Pending, Abandoned</u> |
| 08/707,562                  | September 4, 1996  | Pending                                     |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) and/or agent(s): Allan M. Lowe, Reg. No. 19,641; Israel Gopstein, Reg. No. 27,333; Benjamin J. Hauptman, Reg. No. 29,310; Kenneth M. Berner, Reg. No. 37,093, Michael G. Gilman, Reg. No. 19,114 and Albert J. Fasulo, II, R. No. 43,607 all of

LOWE HAUPTMAN GOPSTEIN GILMAN & BERNER, LLP  
1700 Diagonal Road, Suite 310  
Alexandria, Virginia 22314

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

\*\*\*\*\*  
Full name of sole or first inventor: Zion AZAR

Inventor's signature: 

Date: Aug 23 1999

Residence: 17 Nurit Street, Sderot 73142, Israel

Citizenship: Israeli

Post Office Address: same as above

PCT/EP99/00000

127/00730

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Zion AZAR

SERIAL NO: 09/076,098 EXAMINER: R. KEARNEY

FILED: May 12, 1998 GROUP ART: 3739

FOR: Method of Selective Photothermolysis

REVOCATION OF EXISTING POWER OF ATTORNEY AND NEW  
POWER OF ATTORNEYCommissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned hereby revokes the outstanding Power of Attorney in the above-identified patent application and appoints:

Paul Fenster, Reg. No. 33,877  
Maier Fenster, Reg. No. 41,016  
Phillip A. Weiss, Reg. No. 19,863  
Yaakov Schatz, Reg. No. 44,320  
William H. Dippert Reg. No. 26,723  
Michael I. Wolfson, Reg. No. 24,750  
R. Lewis Gable, Reg. No. 22,479

of mailing address

William H. Dippert, Esq.  
Cowan, Liebowitz and Latman, P.C.  
1133 Avenue of the Americas  
New York, NY 10036-6799

Tel: (212) 790-9200; Fax: (212) 575-0671

as his attorneys to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith.

Respectfully submitted,

  
\_\_\_\_\_  
Zion AZAROctober 20, 1999  
Date

127/00730

ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned

Delight Technologies, Ltd., 17 Nurit Street, Shoham 73142, Israel, incorporated under the laws of the State of Israel

hereby sell(s), assign(s) and transfer(s) to

Radiancy Inc., 40 Ramland Road South, Orangeburg, NY 10962, USA,  
incorporated under the laws of the State of Delaware

(hereinafter called the "Assignee"), its successors, assigns, nominees or other legal representatives, the undersigned's entire right, title and interest in and to the invention(s) titled

Method of Selective Photothermolysis

described and claimed in

U.S. Patent Application No. 09/076,098

filed on May 12, 1998

and in and to said Patent Application, and all original and reissued patents granted therefor, and any and all continuations, continuations-in-part and divisions thereof, including all extensions and reexaminations, and including the right to apply for and obtain patents in all other countries, the priority rights under International Conventions, and the Letters Patent which may be granted thereon; all rights to collect and retain all royalties and other considerations arising from said patent applications; and all rights to sue for past, present and future infringement; and the right to collect and retain all damages collected or awarded thereunder;

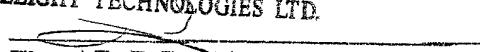
(I), (We) warrantee that the undersigned have (has) the full right to convey the entire interest herein assigned;

(I), (We) authorize and request the Commissioner of Patents and Trademarks, and any Official of any country whose duty it is to issue patents on applications as aforesaid, to issue said Letters Patent to said Assignee; and

(I), (We) agree to sign all lawful papers, make all rightful oaths, do all lawful acts requisite for such patent applications, and do everything possible to aid said Assignee to apply for, obtain and enforce patent protection for said invention(s).

Signed (mo/day/yr) 11/22/2006 at (city) Kelowna

DELIGHT TECHNOLOGIES LTD.

  
Zion AZAR, President  
Delight Technologies, Ltd.

## ASSIGNMENT

I, Zion AZAR, a citizen of Israel, residing at 17 Nurit Street, Shoham 73142, Israel

(hereafter called "ASSIGNOR") in consideration of the sum of One Dollar (\$1.00) or the equivalent thereof, and other good and valuable consideration paid to me by DELIGHT TECHNOLOGIES LTD., a company organized under the laws of Israel, located C/O EITAN, PEARL, LATZER & COHEN-ZEDEK, 22 Maskit Street, Herzlia 46733, Israel (hereafter called the "ASSIGNEE"), do hereby sell and assign to the said ASSIGNEE, its successors and assigns, all my right, title and interest, in and for the United States of America, in and to my invention entitled:

### **METHOD OF SELECTIVE PHOTOTHERMOLYSIS**

invented by me and described in the application for United States Letters Patent therefor, executed on even date herewith, and all divisions, reissues, continuations and extensions thereof, the said interest being the entire ownership of the said Letters Patent when granted, to be held and enjoyed by said ASSIGNEE, its successors, assigns or other legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by said ASSIGNOR if this assignment and sale had not been made;

And ASSIGNOR hereby agrees to sign and execute any further documents or instruments which may be necessary, lawful, and proper in the prosecution of said above-named application or in the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, or reissue applications or in any amendment, extension, or interference proceedings, or otherwise to secure the title thereto in said ASSIGNEE;

And the said ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

I declare under penalty of perjury under the laws of the United States of America that I have signed this document as my own free act and that all of the foregoing is true and correct.

Dated: May 13, 1998

  
Zion Azar, Inventor

Jane Freeman  
witness

Lilah Kollon  
  
witness